FILED
08 FEB -5 PM 1:35
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY: DEPUTY

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

ARREST ON OUT-OF-DISTRICT OFFENSE

CASE NUMBER: '08 MJ 0332

The person charged as PASCHELKE, Elijah Ben now appears before this United States District Court for an initial appearance as a result of the following charges having been filed in the United States District Court for the Northern District of West Virginia on 11/14/08 with: **Title 18, 21 USC 2, 841 (a)(1), 963** **in violation of:**

CONSPIRACY TO IMPORT MARIJUANA
CONSPIRACY
DISTRIBUTION OF MARIJUANA
POSSESSION WITH INTENT TO DISTRIBUTE MARIJUANA

The charging documents and the warrant for the arrest of the defendant which was issued by the above United States District Court are attached hereto.

I hereby swear under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

DATED: 02/05/08

Van Bayless
CI -Deputy United States Marshal

Reviewed and Approved
DATE: 2/5/08

Caleb Mason
Assistant United States Attorney

Warrant for Arrest ORIGINAL FOR RETURN

United States District Court

NORTHERN DISTRICT OF WEST VIRGINIA

UNITED STATES OF AMERICA

V.

ELIJAH BEN PASCHELKE

WARRANT FOR ARREST

CASE NUMBER: 3:07cr 97-2

To: The United States Marshal
and any Authorized United States Officer

YOU ARE HEREBY COMMANDED to arrest ELIJAH BEN PASCHELKE

and bring him or her forthwith to the nearest magistrate to answer a(n)

X Indictment Information Complaint Order of court Violation Notice Probation Violation Petition

charging him or her with (brief description of offense)

CONSPIRACY TO IMPORT MARIJUANA
CONSPIRACY
DISTRIBUTION OF MARIJUANA
POSSESSION WITH INTENT TO DISTRIBUTE MARIJUANA

in violation of Title 18, 21 United States Code, Section(s) 2, 841(a)(1), 841(b)(1)(A), 841(b)(1)(D), 846, 960(b)(1)(G), 963

David J. Joel
Name of Issuing Officer

United States Magistrate Judge
Title of Issuing Officer

[signature]
Signature of Issuing Officer

11/14/07 Martinsburg, WV
Date and Location

Bail fixed at $ ______________ by ______________
Name of Judicial Officer

RETURN		
This warrant was received and executed with the arrest of the above-named defendant at ______________		
DATE RECEIVED	NAME AND TITLE OF ARRESTING OFFICER	SIGNATURE OF ARRESTING OFFICER
DATE OF ARREST		

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF WEST VIRGINIA

FILED
NOV 1 4 2007
U.S DISTRICT COURT
MARTINSBURG, WV 25401

UNITED STATES OF AMERICA, **Plaintiff,** **v.** **JAMES HASSEL VANMETRE** **and ELIJAH BEN PASCHELKE,** **Defendants.**	**Criminal No.** 3:07CR97 **Violations:** **18 U.S.C. § 2** **21 U.S.C. § 841(a)(1)** **21 U.S.C. § 841(b)(1)(B)** **21 U.S.C. § 841(b)(1)(D)** **21 U.S.C. § 846** **21 U.S.C. § 960 (b)(2)(G)** **21 U.S.C. § 963**

INDICTMENT

The Grand Jury charges that:

COUNT 1.

(Conspiracy to Import Controlled Substances)

From in or about January of 2000, to in or about November, 2003, within the Northern Judicial District of West Virginia, and elsewhere, defendants, **JAMES HASSEL VANMETRE and ELIJAH BEN PASCHELKE,** did knowingly and willfully combine, conspire, confederate and agree and have a tacit understanding with each other and with other persons known and unknown to the Grand Jury, to commit an offense against the United States, to wit: to violate Title 21, United States Code, Section 952. It was a purpose and object of the conspiracy to knowingly, intentionally and unlawfully import into the United States from places outside thereof, to-wit: Canada and Mexico, in excess of One Hundred (100) kilograms of marijuana, a Schedule I non-narcotic drug

I hereby certify that the annexed instrument is a true and correct copy of the original filed in my office.
ATTEST: Dr. Wally Edgell
Clerk, U.S. District Court
Northern District of West Virginia
By: [signature]

controlled substance, as designated by Title 21, United States Code, Section 812(c), Schedule I(c)(10); in violation of Title 21, United States Code, Sections 963 and 960 (b)(2)(G).

COUNT 2.

(Marijuana Conspiracy)

From in or about January, 2000 to in or about November, 2003, within the Northern Judicial District of West Virginia, and elsewhere, defendants, **JAMES HASSEL VANMETRE** and **ELIJAH BEN PASCHELKE**, did knowingly and willfully combine, conspire, confederate and agree and have a tacit understanding with each other and with persons known and unknown to the Grand Jury, to commit an offense against the United States, to wit: to violate Title 21, United States Code, Section 841(a)(1). It was a purpose and object of the conspiracy knowingly and intentionally to possess with intent to distribute and to distribute in excess of One Hundred (100) kilograms of marijuana, a Schedule I non-narcotic drug controlled substance, as designated by Title 21, United States Code, Section 812(c), Schedule I(c)(10); in violation of Title 21, United States Code, Sections 846 and 841(b)(1)(B).

COUNT 3.

(Distribution of Marijuana)

In or about March, 2002, in Shepherdstown, Jefferson County, West Virginia, within the Northern Judicial District of West Virginia, defendant, **JAMES HASSEL VANMETRE**, did unlawfully, knowingly, intentionally and without authority distribute approximately 10 pounds of marijuana, a Schedule I non-narcotic drug controlled substance, as designated by Title 21, United States Code, Section 812(c), Schedule I(c)(10) to a person known to the Grand Jury; in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(D).

COUNT 4.

(Distribution of Marijuana)

On or about the 13th day of November, 2003, in Shepherdstown, Jefferson County, West Virginia, within the Northern Judicial District of West Virginia, defendants, **JAMES HASSEL VANMETRE and ELIJAH BEN PASCHELKE**, aided and abetted by each other, did unlawfully, knowingly, intentionally and without authority distribute approximately 4.87 kilograms of marijuana, a Schedule I non-narcotic drug controlled substance, as designated by Title 21, United States Code, Section 812(c), Schedule I(c)(10) to a person known to the Grand Jury; in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(D) and Title 18, United States Code, Section 2.

COUNT 5.

(Possession with Intent to Distribute Marijuana)

On or about the 14th day of November, 2003, in Shepherdstown, Jefferson County, West Virginia, within the Northern Judicial District of West Virginia, defendants, **JAMES HASSEL VANMETRE and ELIJAH BEN PASCHELKE**, aided and abetted by each other, did unlawfully, knowingly, intentionally and without authority possess with the intent to distribute approximately 25.55 kilograms of marijuana, a Schedule I non-narcotic drug controlled substance, as designated by Title 21, United States Code, Section 812(c), Schedule I(c)(10); in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(D) and Title 18, United States Code, Section 2.

COUNT 6.

(Manufacturing Marijuana)

On or about the 14th day of November, 2003, in Shepherdstown, Jefferson County, West Virginia, within the Northern Judicial District of West Virginia, defendants, **JAMES HASSEL VANMETRE and ELIJAH BEN PASCHELKE**, aided and abetted by each other, did unlawfully, knowingly, intentionally and without authority manufacture approximately 465 marijuana plants, a Schedule I non-narcotic drug controlled substance, as designated by Title 21, United States Code, Section 812(c), Schedule I(c)(10); in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C) and Title 18, United States Code, Section 2.

A true bill,

/s/ ______________________
Grand Jury Foreperson
(Signature on File)

/s/ ______________________
SHARON L. POTTER
UNITED STATES ATTORNEY

U.S. Department of Justice
United States Marshals Service

DELEGATION OF APPREHENSION RESPONSIBILITY / CASE REFERRAL

THIS FORM SHOULD BE COMPLETED WHEN A LAW ENFORCEMENT AGENCY WISHES TO DELEGATE PRIMARY APPREHENSION RESPONSIBILITY FOR A STATE, LOCAL OR FEDERAL FUGITIVE TO THE UNITED STATES MARSHALS SERVICE PURSUANT TO ISD PROGRAM DIRECTIVE 4.

DESCRIPTIVE INFORMATION

FUGITIVE NAME	Elijah Ben Paschalke		
ALIAS(ES)	(Several) See criminal history		
DATE(S) OF BIRTH	3/19/72	SEX	Male
PLACES(S) OF BIRTH	Oregon	RACE	Black
SOCIAL SECURITY NUMBERS(S)		HEIGHT	6-0
FBI NUMBER(S)	262934RA7	WEIGHT	190
STATE ID NUMBERS(S)		HAIR COLOR	Black
NADDIS NUMBER(S)		EYE COLOR	Brown
SCARS, MARKS, & TATTOOS			
LAST KNOWN ADDRESS(ES)			
TELEPHONE NUMBERS (PAGER, CELL PHONE LANDLINE, ETC.)			
REASON FOR CAUTION (VIOLENT HISTORY, SUICIDAL, MEDICAL CONDITIONS, ETC.)			

IDENTIFICATION DOCUMENTS

TYPE	NUMBER	STATE/COUNTRY	DATE/PLACE OF ISSUANCE
DRIVER LICENSE			
PASSPORT			

VEHICLE INFORMATION

COLOR, MAKE, MODEL, YEAR	VIN	LICENSE PLATE & STATE

ASSOCIATES

RELATIONSHIP	NAME	DOB	ADDRESS/TELEPHONE
	James Van Meter		Co-Conspirator

FID 755969

N/WV USM-560
Rev. 03/06

WARRANT INFORMATION

DATE OF WARRANT	11/15/07
CHARGE	Poss w/ intent (marijuana) Conspiracy
ISSUING COURT, CITY & STATE	Northern District of WV
DATE OF OFFENSE	2003
COURT CASE #	
AGENCY CASE #	F2000097
BRIEF DESCRIPTION OF OFFENSE:	A search warrant was conducted & marijuana was located.
IS THIS AN OCDEFT OR HIDTA CASE? IF SO, WHICH ONE?	No

ADDITIONAL INFORMATION

Co-conspirator of James VanMeter.

This subjects whereabouts is unknown at this time.

We know he was from the California area at the time of this incident.

CASE AGENT INFORMATION

CASE AGENT NAME/TITLE	Sgt Kevin Miller	CASE AGENT TELEPHONE	267-0025
CASE AGENCY	E CIDTF	CASE AGENT BEEPER	676-0822

BY MY SIGNATURE BELOW, I HEREBY REQUEST THAT THE UNITED STATES MARSHALS SERVICE ASSUME (CHECK ALL THAT APPLY):

☑ PRIMARY APPREHENSION RESPONSIBILITY

☑ RESPONSIBILITY FOR ENTRY OF A WANTED PERSON RECORD IN TO THE NATIONAL CRIME INFORMATION CENTER (NCIC)

FOR THE ABOVE REFERENCED FUGITIVE.

[signature] 11/15/07
Signature of Requesting Agency Department Head & Date

[signature] 11/20/2007
Signature of Approving USMS Supervisor & Date

[signature] 11/15/2007
Signature of Sponsoring Asst. U.S. Attorney & Date

ELIJAH PACHECKE